

MESSAGE NO: 9217116 MESSAGE DATE: 08/05/1999

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: SCO-Scope PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-850, A-583-826

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/29/1999 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING SCOPE RULING ON COLLATED ROOFING NAILS FROM TAIWAN (A-583-826 & THE PEOPLE'S REPUBLIC OF CHINA (A-570-850)

MESSAGE NO: 9217116

DATE: 08 05 1999

CATEGORY: ADA

TYPE: SCO

REFERENCE:

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CASES: A - 570 - 850

A - 583 - 826

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PERIOD COVERED: 07 29 1999 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: ANTIDUMPING SCOPE RULING ON COLLATED ROOFING NAILS FROM
TAIWAN (A-583-826 & THE PEOPLE'S REPUBLIC OF CHINA
(A-570-850)

1. ON 07/29/1999, IN RESPONSE TO A REQUEST BY STANLEY BOSTITCH FASTENER DIVISION OF STANLEY WORKS, INC. ("STANLEY"), THE DEPARTMENT OF COMMERCE ISSUED A PRELIMINARY SCOPE RULING THAT STAINLESS STEEL COLLATED ROOFING NAILS ("SSCR NAILS") ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING COLLATED ROOFING NAILS ("CR NAILS") FROM TAIWAN (A-583-826) AND THE PEOPLE'S REPUBLIC OF CHINA ("PRC") (A-570-850).

2. THE COMMERCE DEPARTMENT DETERMINED THAT SSCR NAILS ARE

OUTSIDE THE SCOPE OF THE ORDER BECAUSE THE PHRASE "WHETHER OR NOT GALVANIZED" IN THE SCOPE OF THE ANTIDUMPING DUTY ORDER WAS NOT INTENDED TO CAPTURE SSCR NAILS. THEREFORE, SSCR NAILS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CR NAILS FROM TAIWAN AND THE PRC.

3. EFFECTIVE 07/29/1999, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES, REGARDLESS OF ENTRY DATE, OF THE SSCR NAILS LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE SSCR NAILS LISTED ABOVE.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDER

PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF CR NAILS SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING CR NAILS FROM TAIWAN AND THE PRC.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT TERRE KEATON AT 202-482-1280, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION,

DEPARTMENT OF
COMMERCE.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS
INFORMATION.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party